

HOUSE No. 1179

By Mr. Frost of Auburn, petition of Paul K. Frost relative to establishing a commission (including members of the General Court) to study, review and recommend changes to the education funding formula laws of the Commonwealth. Education.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT COMMISSIONING A STUDY AND REVIEW, AND RECOMMENDING CHANGES, TO CHAPTER 70, THE EDUCATION FUNDING FORMULA AND LAW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 4 of Chapter 70 of the General Laws is hereby amended
2 by striking out the entire section and inserting in place thereof the
3 following new section 4:—
4 In 2005, and every four years thereafter, there will hereby be
5 established a Chapter 70 Education Reform commission to study
6 and review the current manner in which the Commonwealth funds
7 public school education, including, but not limited to, a study and
8 review of the following: the way foundation budgets are calcu-
9 lated; whether such calculations may be simplified; whether such
10 calculations provide an adequate and equitable education to all the
11 children of the Commonwealth; whether there are alternative,
12 dependable sources to fund public education other than the prop-
13 erty tax; and whether the usage of average income could replace
14 property tax in the education funding formula, or whichever
15 resulting amount was greater. Said Chapter 70 Education Reform
16 commission will make both specific and general recommendations
17 to the general court regarding such changes in the formula and
18 education funding laws as may be appropriate, as well as recom-
19 mendations to ensure that state and local spending, resources, and
20 high educational goals and standards are linked to provide an ade-
21 quate and equitable education for all children in the Common-

22 wealth, and at the same time, such recommendations should con-
23 sider both short and long term strategies for the continued eco-
24 nomic health of the Commonwealth: thus, the commission's
25 recommendations may take into account a multi-year phase-in of
26 such recommendations.

27 The Chapter 70 Education Reform commission shall also
28 examine the assumed percentage for special education costs
29 included in such formula and shall make recommendations
30 regarding changes in such percentage or other mechanisms to
31 finance special education costs including, but not limited to: reim-
32 bursement programs or phased-in; standards-based funding pro-
33 grams that increase the state contribution to such costs over a
34 fixed period of years; and funding of the special education "Cir-
35 cuit Breaker", the special education "Stop-Loss Pool", to provide
36 insurance for school districts for extraordinarily high individual
37 student's special needs requirements, and the Zero (0) Interest
38 Loan legislation as set forth in the Acts of 2000, c159, Sec. 171.

39 In conducting such review, said Chapter 70 Education Reform
40 commission shall seek to determine the educational standards,
41 programs, resources, and services needed to provide all students
42 an adequate education and to assist them to achieve passing scores
43 on the Massachusetts Comprehensive Assessment System. The
44 Chapter 70 Education Reform commission shall also seek to
45 determine a distribution formula that is fair and equitable for stu-
46 dents, comparable districts, and taxpayers across the Common-
47 wealth.

48 The commission shall include the house and senate chairs of
49 the joint committee on education, arts and humanities, who shall
50 serve as co-chairs, the speaker of the house of representatives or
51 his designee, the president of the senate or his designee, the
52 minority leader of the house of representatives or his designee, the
53 minority leader of the senate or his designee, the chair of the
54 house committee on ways and means or his designee, the chair of
55 the senate committee on ways and means or his designee, the gov-
56 ernor or his designee, the secretary of administration and finance
57 or his designee, the commissioner of education, and one member
58 to be appointed by each of the following organizations: the
59 Massachusetts Municipal Association, the Massachusetts Business
60 Alliance for Education, the Massachusetts Taxpayers Foundation,

61 MassINC., the Massachusetts Association of School Committees,
62 the Massachusetts Association of School Superintendents, the
63 Massachusetts Teachers Association, the Massachusetts Federa-
64 tion of Teachers, the League of Women Voters of Massachusetts,
65 the Suburban Coalition, the Massachusetts Association for Voca-
66 tional Administrators and the Massachusetts Association of
67 Regional Schools. Members shall receive no compensation for
68 their services but may receive reimbursement for the reasonable
69 expenses incurred in carrying out their responsibilities as mem-
70 bers of the commission. The department of education shall furnish
71 reasonable staff and other necessary support for the work of the
72 Chapter 70 Education Reform commission.

73 The Chapter 70 Education Reform commission shall conduct
74 not fewer than four public hearings to receive testimony from
75 members of the public. The hearings shall be held in locations that
76 provide opportunities for residents from all geographic regions of
77 the Commonwealth to testify.

78 It shall not constitute a violation of chapter 268A for a person
79 employed by a school district to serve on said commission or to
80 participate in commission deliberations that may have a financial
81 impact on the district employing such person or on the rate at
82 which such person may be compensated. The Chapter 70 Educa-
83 tion Reform commission may establish procedures to ensure that
84 no such person participates in commission deliberations that may
85 directly affect the school districts employing such persons or that
86 may directly affect the rate at which such persons are compen-
87 sated.

88 The Chapter 70 Education Reform commission's recommenda-
89 tions, together with any proposed legislation, shall be filed not
90 later than December 31st of the year in which said commission
91 was initiated. Such filing shall be with the house and senate chairs
92 of the joint committee on education, arts and humanities. Within
93 thirty days after such filing, the joint committee on education, arts
94 and humanities shall hold no less than two public hearings on the
95 recommendations. Within ninety days of the close of such hear-
96 ings, the joint committee on education, arts and humanities shall
97 issue its own findings and recommendations, together with pro-
98 posed legislation.